

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Independent Claim 1

With regard to independent claim 1, the Examiner appears to reject claim 1 under 35 U.S.C. § 103(a) as being unpatentable over Dutta (U.S. Publication No. 2002/0163524) in view of Narveson et al. (U.S. Patent No. 4,386,345). Although a complete explanation is not provided in the Advisory Action dated January 08, 2004, the Examiner appears to believe that the second photodetector of Narveson et al. located near the displays in an aircraft cockpit, may be combined with the disclosure of Dutta to arrive at Applicants' invention recited in claim 1.

Applicants respectfully disagree with the Examiner's application of the newly cited prior art, Narveson et al. First, neither Dutta, nor Narveson et al. provide any motivation to combine the references to arrive at Applicants' claimed invention. Applicants' claimed invention is for a handheld computer. The disclosure of Dutta does not provide any motivation for combining with Narveson et al., in particular because the photodetectors of Narveson et al. are located in an aircraft cockpit and are in no way associated with a handheld computer or a mobile electronic device. Further, the problems solved by Narveson et al., e.g., controlling the brightness of two or more different displays in the cockpit so that they are consistent is far different than the problems solved by Applicants' invention. For a handheld computer, a single photodetector located on a handheld computer may often be obscured, for example, handheld computers are often used in the palm of a hand such that a photodetector on the bezel near the display would be obscured by the hand. Accordingly, there is no motivation to combine the teachings of Narveson et al. with Dutta, because the teachings of Narveson et al. would not provide the needed functionality for a

handheld computer display nor is there any desirability provided for making the combination. Further, the multiple photo sensors of Narveson et al. are used to control multiple displays to be consistent with each other. In contrast, Applicants' invention is to control a single display using multiple sensors. The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. In re Mills, 916 F.2d 680, 16 U.S.P.Q.2d 1430 (Fed. Cir. 1990).

Multiple sensors on the face of a handheld computer to adapt to constantly changing lighting conditions on the face of the display is exceptionally important for handheld computers. Further, as Applicants explain on page 8, paragraph [0025] of the specification, a single light sensor for a handheld computer may be obscured by a finger or other object or the like. This is a problem which is not inherent in an aircraft cockpit and is therefore not addressed in Narveson et al. and no motivation for such a configuration is provided by Narveson et al.

Accordingly, Applicants respectfully submit that claim 1 and its respective dependent claims are therefore allowable.

Independent Claims 8 and 13

With regard to independent claims 8 and 13, the Examiner appears to reject claims 8 and 13 under 35 U.S.C. § 103(a) as being unpatentable over Dutta (U.S. Publication No. 2002/0163524) in view of Narveson et al. (U.S. Patent No. 4,386,345). Although a complete explanation is not provided in the Advisory Action dated January 08, 2004, the Examiner appears to believe that the second photodetector of Narveson et al. located near the displays in an aircraft cockpit, may be combined with the disclosure of Dutta to arrive at Applicants' inventions recited in claims 8 and 13.

Applicants respectfully disagree with the Examiner's application of the newly cited prior art, Narveson et al. First, neither Dutta, nor Narveson et al. provide any motivation to combine the references to arrive at Applicants' claimed invention. Applicants' claimed invention is for a

method of controlling a display in a mobile electronic device. The disclosure of Dutta does not provide any motivation for combining with Narveson et al., in particular because the photodetectors of Narveson et al. are located in an aircraft cockpit and are in no way associated with a mobile electronic device. Further, the problems solved by Narveson et al., e.g., controlling the brightness of two or more different displays in the cockpit so that they are consistent is far different than the problems solved by Applicants' invention. For a mobile electronic device, a single photodetector located on a handheld computer may often be obscured, for example, mobile electronic devices such as but not limited to cell phones and handheld computers are often used in the palm of a hand such that a photodetector on the bezel near the display would be obscured by the hand. Accordingly, there is no motivation to combine the teachings of Narveson et al. with Dutta, because the teachings of Narveson et al. would not provide the needed functionality for a mobile electronic device display, nor is there any desirability provided for making the combination. Further, the multiple photo sensors of Narveson et al. are used to control multiple displays to be consistent with each other. In contrast, Applicants' invention is to control a single display using multiple sensors. The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. In re Mills, 916 F.2d 680, 16 U.S.P.Q.2d 1430 (Fed. Cir. 1990).

Multiple sensors on the face of a mobile electronic device, to adapt to constantly changing lighting conditions on the face of the display is exceptionally important for mobile electronic devices. Further, as Applicants explain on page 8, paragraph [0025] of the specification, a single light sensor for a handheld computer may be obscured by a finger or other object or the like. This is a problem which is not inherent in an aircraft cockpit and is therefore not addressed in Narveson et al. and no motivation for such a configuration is provided by Narveson et al.

Accordingly, Applicants respectfully submit that claims 8 and 13 and their respective dependent claims are therefore allowable.

Claims 1-17 are now pending in this application.

Applicants believe that the present application is now in condition for allowance.
Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Respectfully submitted,

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